

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mary Ann D. Brow *et al.*

Serial No.:

Filed:

Entitled:

**Rapid Detection And
Identification Of Pathogens**

Group No.:

Examiner:

#4/a
3da
8-7-01

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EK 898 390 914 US**; addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: September 13, 2000

By: Mary Ellen Waite
Mary Ellen Waite

Sir:

The Applicants have copied claims 1-24 from U.S. Patent No. 6,110,677, ("677") in order to preserve the right to provoke an interference proceeding with the patentees of the '677 patent. The Applicants are currently investigating the possibility of pursuing such interference proceeding. Claims 1-24 of the '677 patent correspond, respectively, to the Applicants' Claims 45-68. The remaining claims are intended to encompass the subject matter claimed in U.S. Patents 6,110,677 and 6,121,001 ("011") to preserve the right to provoke an interference proceeding with the patentees of the '677 and '001 patents.

Prior to an Examination on the merits of the above-identified Application, please amend the Application as follows:

IN THE TITLE: